

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ricardo Azpiroz et al.                      Art Unit : 1638  
Patent No. : 7,253,336                                      Examiner : Ashwin D. Mehta  
Issue Date : August 7, 2007                              Conf. No. : 8113  
Serial No. : 10/804,772  
Filed : March 18, 2004  
Title : DWF4 POLYNUCLEOTIDES, POLYPEPTIDES AND USES THEREOF

**Mail Stop ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF DEFICIENCY UNDER 37 CFR § 1.28(c)(2)(ii)

It has come to the attention of the Applicants that small entity status, though established in good faith, was established in error for the above referenced Patent. Under 37 CFR 1.28(c), Applicants are submitting an itemization and deficiency payment for Patent No. 7,253,336. The following table provides an itemization of the deficiency payment with all information required under 37 CFR § 1.28(c)(2)(ii). The fee for processing and retaining this Patent as a large entity in the amount of \$772.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Please charge any other fees or credit any overpayment to Deposit Account No. 06-1050.

11/17/2009 LDIEP1 00000006 061050 10004772  
01 FC:1461 772.00 DA

**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date May 22, 2009

Applicant : Ricardo Azpiroz et al.  
Patent No. : 7,253,336  
Issued : August 7, 2007  
Serial No. : 10/804,772  
Filed : March 18, 2004  
Page : 2 of 3

Attorney's Docket No.: 11696-0070002

The following table provides an itemization of the deficiency payment required under 37 CFR § 1.28(c)(2)(ii) for erroneous establishment of small entity status.

Type of fee erroneously paid as a small entity 37 CFR § 1.28(c)(2)(ii)(A)	Current fee amount for a non-small entity 37 CFR § 1.28(c)(2)(ii)(A)	Small entity fee actually paid 37 CFR § 1.28(c)(2)(ii)(B)	Date of small entity fee actually paid 37 CFR § 1.28(c)(2)(ii)(B)	Deficiency owed amount 37 CFR § 1.28(c)(2)(ii)(C)
Basic Filing fee – Utility <i>Filed before December 8, 2004</i>	\$850.00	\$ 385.00	March 18, 2004	\$ 465.00
Petition for One- month Extension Fee	130.00	55.00	July 26, 2004	75.00
Excess Claim Fee \$25 x 6 claims	312.00	150.00	Sept. 11, 2006	162.00
Petition for One-month Extension Fee	130.00	60.00	Feb. 2, 2007	70.00

<b>TOTAL DEFICIENCY</b>	<b>\$772.00</b>
-------------------------	-----------------

Applicant : Ricardo Azpiroz et al.  
Patent No. : 7,253,336  
Issued : August 7, 2007  
Serial No. : 10/804,772  
Filed : March 18, 2004  
Page : 3 of 3

Attorney's Docket No.: 11696-0070002

In view of the foregoing, Applicants hereby notify the USPTO of the change of status of this patent to large entity and requests that the error in status be excused.

Respectfully submitted,

Date: May 22, 2009

/Lisbeth C. Robinson/

Lisbeth C. Robinson, Ph.D.

Reg. No. 59,704

Fish & Richardson P.C.  
3200 RBC Plaza  
60 South Sixth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 335-5070  
Facsimile: (877) 769-7945

60574380.doc